

**ACTION MINUTES OF TULARE  
CITY COUNCIL, CITY OF TULARE**

**April 21, 2020**

**A closed session of the City Council, City of Tulare was held on Tuesday, April 21, 2020, at 6:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.**

**COUNCIL PRESENT:** Jose Sigala, Dennis A. Mederos

**COUNCIL PRESENT VIA ZOOM:** Terry Sayre, Carlton Jones

**COUNCIL ABSENT:** Greg Nunley

**STAFF PRESENT:** Rob Hunt, Mario Zamora<sup>(via teleconference)</sup>, Josh McDonnell, Wes Hensley, Darlene Thompson, Roxanne Yoder, Special Counsel Mandy Jeffcoach and Tim Thompson<sup>(via teleconference)</sup>

**I. CALL TO ORDER CLOSED SESSION**

Mayor Sigala called the closed session to order at 6:02 p.m.

**II. CITIZEN COMMENTS** - Comments from the public are limited to items listed on the agenda (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your city of residence.

Mayor Sigala provided extra time for audience members to call in.

Corporal Matt Muller addressed the Council regarding their consideration of the Fact-Finding Report for Tulare Police Officer's Union.

**III. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):**

Mayor Sigala adjourned to closed session for items as noted by City Attorney Mario Zamora at 6:10 p.m.

- (a) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (2) [Submitted by: M. Zamora]  
Name of Case: Nunley vs. City of Tulare TCSC Case No. VCU280972  
Name of Case: City of Tulare and Tulare Police Officers Union (TPOU) Case No. SA-IM-194-M

**IV. RECONVENE CLOSED SESSION**

Mayor Sigala reconvened from closed session at 7:31 p.m.

**V. CLOSED SESSION REPORT (if any)**

Mayor Sigala advised there was no reportable actions.

**VI. ADJOURN CLOSED SESSION**

Mayor Sigala adjourned closed session at 7:31 p.m.

**A regular session of the City Council, City of Tulare was held on Tuesday, April 21, 2020, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.**

**COUNCIL PRESENT:** Jose Sigala, Dennis A. Mederos, Carlton Jones

**COUNCIL PRESENT VIA ZOOM:** Terry Sayre, Carlton Jones

**COUNCIL ABSENT:** Greg Nunley

**STAFF PRESENT:** Rob Hunt, Josh McDonnell, Mario Zamora<sup>(via Zoom)</sup>, Wes Hensley, Luis Nevarez, Janice Avila, Michael Miller, Traci Myers, Craig Miller, Darlene Thompson, Trisha Whitfield, Nick Bartsch, Roxanne Yoder

**VII. CALL TO ORDER REGULAR SESSION**

Mayor Sigala called the regular session to order at 7:31 p.m.

**VIII. PLEDGE OF ALLEGIANCE AND INVOCATION**

Mayor Sigala led the Pledge of Allegiance and a moment of silence.

**IX. CITIZEN COMMENTS**

Mayor Sigala requested those who wish to speak on matters not on the agenda within the jurisdiction of the Council, or to address or request a matter be pulled from the consent calendar to do so at this time. He further stated comments related to general business matters would be heard at the time that matter is addressed on the agenda.

Chase Landers addressed the Council regarding opening the City for business.

Alfredo Mendoza addressed the Council regarding CBD products.

**X. COMMUNICATIONS**

There were no items for this section of the agenda.

## XI. CONSENT CALENDAR:

It was moved by Council Member Jones, seconded by Vice Mayor Mederos, and carried 4 to 0 (Council Member Nunley absent) that the items on the Consent Calendar be approved as presented, except items 3 & 4.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of April 7, 2020 special/regular meeting. [Submitted by: R. Yoder]**
- (3) **Adopt Ordinance 19-12, an Ordinance revoking and replacing Chapter 5.96 of the City of Tulare Municipal Code allowing Recreational Cannabis Businesses and Establishing Permitting Procedures and Regulations. [Submitted by: M. Zamora]** Vice Mayor Mederos pulled the item to vote no. With no further discussion, it was moved by Mayor Sigala, seconded by Council Member Jones and carried 3 to 1 (Vice Mayor Mederos voting no; (Council Member Nunley absent) to adopt Ordinance 2019-12 as presented.
- (4) **Adopt Ordinance 2020-04 approving Zone Amendment No. 740, changing the existing zoning designation on approximately 0.38-acres from C-2 (Office Commercial) to the C-3 (Retail Commercial) zone district on property located south of Prosperity Avenue between Brentwood and Laspina Streets. [Submitted by: T. Myers]** Vice Mayor Mederos pulled the item to recuse himself due to property and business relationship. With no further discussion, it was moved by Mayor Sigala, seconded by Council Member Jones and carried 3 to 0 (Vice Mayor Mederos recused; Council Member Nunley absent) to adopt Ordinance 2020-04 as presented.
- (5) **Accept the required public works improvements for the Sierra Vista Estates No. 2 Subdivision located south of Bardsley Avenue, between Mooney Boulevard and Irwin Street as complete, authorize the City Engineer to sign the Notice of Completion, and direct the City Clerk to file the Notice of Completion with the Tulare County Recorder's Office. [Submitted by: M. Miller]**
- (6) **Accept the required public works improvements for Phase 4 of The Windmills subdivision located along the east side of Morrison Street south of Bardsley Avenue as complete, authorize the City Engineer to sign the Notice of Completion, and direct the City Clerk to file the Notice of Completion with the Tulare County Recorder's Office. [Submitted by: M. Miller]**
- (7) **Adopt Resolution 2020-14 authorizing the execution of a program supplement to the Measure R Cooperative Agreement with the Tulare County Association of Governments (TCAG) for the design and construction of the Cartmill Avenue Improvements Project, extension to Mooney Boulevard. [Submitted by: N. Bartsch]**

- (8) **Receive, review, and file the Monthly Investment Report for March 2020. [Submitted by: D. Thompson]**
- (9) **Adopt Resolution 2020-15 (1) designating and authorizing the City Manager or his/her designees to act on behalf of the City of Tulare to execute applications and agreements for California Low Carbon Transit Operations Program (LCTOP), (2) APPROVING 2019-20 Certifications and Assurances and (3) approving submittal of the City's FY 2019-20 "Purchase One TIME CNG Bus" LCTOP project. [Submitted by: D. Thompson]**
- (10) **Award Sourcewell (formally NJPA) bid to National Auto Fleet Group, Quote #23809R1, in the amount of \$33,070.79 for the replacement of the Senior Center delivery vehicle. [Submitted by: S. Bonville]**
- (11) **Surplus Police K-9 "Loki" and authorize the sale of same to his former handler, Police Corporal Dan Scott, for the purchase price of \$1.00. [Submitted by: W. Hensley]**

## **XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS**

There were no items for this section of the agenda.

## **XIII. MAYOR'S REPORT**

There were no items for this section of the agenda.

## **XIV. STUDENT REPORTS**

There were no items for this section of the agenda.

## **XV. GENERAL BUSINESS**

*Comments related to General Business Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.*

### **(1) Public Hearing:**

- a. **Public Hearing to adopt Resolution 2020-16 approving the 2020-2021 Master Fee Schedule effective July 1, 2020. [Submitted by: D. Thompson]** Finance Director Darlene Thompson provided a report for the Council's review and consideration. Mayor Sigala opened the public hearing at 7:57 p.m.; with no public comment, he closed the public hearing at 7:59 p.m. Following comments by Council, it was moved by Vice Mayor Mederos, seconded by Mayor Sigala and carried 3 to 0 (Council Members Jones and Nunley absent) to adopt Resolution 2020-16 as presented.

- b. Public Hearing for City Council review and comment on the City of Tulare’s Draft Program Year 2020-2024 Five-Year Consolidated Plan, Draft Analysis of Impediments to Fair Housing Choice, 2020-2021 Annual Action Plan, and 2019-2020 Action Plan Amendment II and provide direction to staff for the finalization of the documents for Council consideration for adoption at the May 5, 2020 City Council meeting. [Submitted by: T. Myers]** Community and Economic Development Director Traci Myers provided a report for the Council’s review and consideration. GRC & Associates Consultant Robert Vasquez also addressed Council. Mayor Sigala opened the public hearing at 8:14 p.m.; with no public comments, he closed the public hearing at 8:18 p.m. No action required. [Council Members Jones and Nunley absent].

*Item 1c was moved up in order per direction of the Council.*

- c. Public hearing pursuant to Government Code section 3505.7 Fact Finding with the Tulare Police Officers Union. [Submitted by: M. Zamora] [A copy of this report is available for public review on the City of Tulare website, public kiosk and in the Office of the City Clerk.]** City Attorney Mario Zamora provided a report for the Council’s review and consideration. Mayor Sigala opened the public hearing at 7:48 p.m. Roger Wilson and Chase Landers addressed the Council. With no further public comment, Mayor Sigala closed the public hearing at 7:53 p.m. No action required. [Council Member Nunley absent].

**(2) Economic Development:**

- a. City Council review and approval of the Notice of Funding Availability (NOFA) for Affordable Housing Development and direction to staff to release said NOFA to solicit Statements of Qualifications from qualified non-profit and/or for-profit developers who desire to partner with the City to carry out local affordable housing, community development and land use goals. [Submitted by: T. Myers]** Community and Economic Development Director Traci Myers provided a report for the Council’s review and consideration. RSG Consultant Suzy Kim also addressed the Council. With no public comment and following a brief discussion, it was moved by Council Member Sayre, seconded by Vice Mayor Mederos and carried 3 to 0 (Council Members Jones and Nunley absent) to approve the item as presented.

**(3) City Attorney:**

- a. Adopt of Resolution 2020-17 authorizing the Commercial cannabis business request for proposal/applicant package. [Submitted by: M. Zamora]** City Attorney Mario Zamora provided a report for the Council’s review and consideration. Council Members Jones and Sayre expressed allowing staff to negotiate the percentages up to 2 percent. Following a brief discussion, it was moved by Mayor Sigala, seconded by Council Member

Sayre and carried 4 to 0 (Council Member Nunley absent) to adopt Resolution 2020-17 as presented.

**(4) City Manager:**

- a. **Staff update, discussion and receive direction, if necessary, regarding COVID-19. [Submitted by: R. Hunt]** City Manager Rob Hunt provided a brief update to the Council, who commended staff's efforts.

**XVI. COUNCIL/STAFF UPDATES, REPORTS OR ITEMS OF INTEREST – GC 54954.2(3)**

Mayor Sigala requested a special item for the Budget Agenda on April 24 related to the Covid-19 CDBG funding, it was seconded by Vice Mayor Mederos and carried 4 to 0 (Council Member Nunley absent) to add as requested.

**XVII. ADJOURN REGULAR MEETING**

Mayor Sigala adjourned the regular meeting at 9:11 p.m.

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President of the Council and Ex-Officio  
Mayor of the City of Tulare

**ATTEST:**

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Chief Deputy City Clerk and Clerk of the  
Council of the City of Tulare